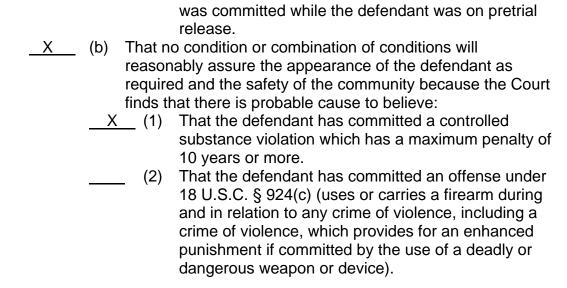
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	
Plaintiff,	8:17CR24
vs. OSCAR ONOFRE AVILAS,	DETENTION ORDER PENDING TRIAL
Defendant.	
	aring pursuant to 18 U.S.C. § 3142(f) of orders the above-named defendant § 3142(e) and (I).
conditions will reasonably assur required. X By clear and convincing evidence.	
X (1) Nature and circumstances of X (a) The crime: Distribution 1 and 2 is a serious of years imprisonment of X (b) The offense is a crime X (c) The offense involves a	Services Report, and includes the following: of the offense charged: n of Methamphetamine (mixture) in Counts rime and carries a maximum penalty of 20 on each count. e of violence.
X (3) The history and characterist (a) General Factors: The defendan which may afform the defendan	against the defendant is high. tics of the defendant including: at appears to have a mental condition fect whether the defendant will appear. at has no family ties in the area. at has no steady employment.

	_	The defendant has no substantial financial resources. The defendant is not a long time resident of the
		community The defendant does not have any significant community
	_X	ties. Past conduct of the defendant:
	X	The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse.
		The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at
	/I- \ A + +	court proceedings.
	(b) At the	he time of the current arrest, the defendant was on: Probation
		Parole
		_ Supervised Release
	(a) Oth	Release pending trial, sentence, appeal or completion of sentence.
	(c) Oth	er Factors: The defendant is an illegal alien and is subject to
		deportation.
		_ The defendant is a legal alien and will be subject to
	χ	deportation if convicted. The Bureau of Immigration and Customs Enforcement
		(BICE) will be placing a detainer with the U.S. Marshal. Other:
X (4)		re and seriousness of the danger posed by the defendant's are as follows: Nature of the offense and criminal history.
\/ (F)	Dabouttalo	In Decompositions
<u>X</u> (5)		le Presumptions ng that the defendant should be detained, the Court also
	relied on the	e following rebuttable presumption(s) contained in 18 U.S.C. hich the Court finds the defendant has not rebutted:
_	(a)	That no condition or combination of conditions will
		reasonably assure the appearance of the defendant as
		required and the safety of any other person and the community because the Court finds that the crime involves:
		(1) A crime of violence; or
		(2) An offense for which the maximum penalty is life imprisonment or death; or
	<u>X</u>	(3) A controlled substance violation which has a
		maximum penalty of 10 years or more; or (4) A felony after the defendant had been convicted of
		two or more prior offenses described in (1) through
		(3) above, <u>and</u> the defendant has a prior conviction
		for one of the crimes mentioned in (1) through (3) above which is less than five years old and which
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D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 25th day of January, 2017.

BY THE COURT:

s/ Susan M. Bazis United States Magistrate Judge